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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/529,718	10/27/2005	Patrick Kromotis	5367-165PUS	9142
27799	7590	09/25/2006	EXAMINER	
COHEN, PONTANI, LIEBERMAN & PAVANE 551 FIFTH AVENUE SUITE 1210 NEW YORK, NY 10176			INGHAM, JOHN C	
			ART UNIT	PAPER NUMBER
			2814	

DATE MAILED: 09/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/529,718

Applicant(s)

KROMOTIS ET AL.

Examiner

John C. Ingham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 March 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 3/30/05 both.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 3 and 5 are objected to because of the following informalities: the language in claim 3, "per frame part" lacks proper antecedent basis. Appropriate correction is required. The language in claim 5, "the printed circuit board" lacks proper antecedent basis. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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4. Claims **1-7** are rejected under 35 U.S.C. 103(a) as being unpatentable over Murata (US 4,935,665) and JP2001085748 from the IDS filed on 30 March 2005, hereinafter AAPA. The computer translation is referenced and attached.

5. Regarding claims **1, 4, and 6**, Murata discloses in Fig 1 a light source module having a plurality of LEDs (two shown) connected to a metal carrier (12) of aluminum or copper (col 3 ln 33) in an insulating manner (via insulating layer 13), wherein the LEDs are surrounded by a frame (Fig 7 item 4), and potting composition (col 4 ln 12) arranged between the frame and the LEDs Murata fails to specify that the frame has expansion joints.

The AAPA discloses in Fig 2A a light source module having a plurality of LEDs wherein the LEDs are surrounded by a frame (8) of plastic (¶19) and the frame has expansion joints (9) in order to ease the stress of thermal expansion (¶ 04). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the teachings of AAPA in the module of Murata in order to ease thermal expansion stress.

6. Regarding claims **2, 3, and 7**, AAPA discloses in Fig 2B the module of claim 1 wherein the frame (8) is segmented into a plurality of frame parts by expansion joints (9), wherein one cutout (circular region 6) for receiving LEDs is provided per frame part, and wherein the LEDs are arranged in a grid.

7. Regarding claim **5**, AAPA discloses in Fig 2A the module of claim 1 wherein the frame (item 7) is adhesively bonded at the underside towards the printed circuit board (item 5, formed by a PCB, ¶19).

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8. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Murata and AAPA as applied to claim 2 above, and further in view of Huang (US 6,545,332). Murata and AAPA disclose a method for producing a module as claimed in claim 2, but fail to specify wherein the segmentation of the frame is carried out by a sawing device, so that separating cuts arise between the frame parts.

Huang teaches in Fig 10 a method of separating optical package units by a sawing method so that the modules can simultaneously undergo a molding process and increase productivity (col 6 ln 37-44). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the teachings of Huang in the method of Murata and AAPA in order to increase productivity and simultaneously process and separate the frame parts.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John C. Ingham whose telephone number is (571) 272-8793. The examiner can normally be reached on M-F, 8am-5pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wael Fahmy can be reached on (571) 272-1705. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

John C Ingham  
Examiner  
Art Unit 2814

jci



**HOWARD WEISS**  
**PRIMARY EXAMINER**